

REPLY EXHIBIT 1

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF RHODE ISLAND; et al.,

Plaintiffs,

v.

C.A. No. 1:25-cv-128

DONALD TRUMP, in his official capacity as President of the United States; et al.,

Defendants.

SUPPLEMENTAL DECLARATION OF LORI FISHER

Pursuant to 28 U.S.C. § 1746, I, Lori Fisher, hereby declare as follows:

1. I am a resident of Maine. I am over the age of 18 and have personal knowledge of all the facts stated herein, except as to those matters stated upon information and belief; as to those matters, I believe them to be true. If called as a witness, I could and would testify competently to the matters set forth below.

2. In 2022, I was appointed as the Maine State Librarian for the Maine State Library (MSL).

3. The MSL is responsible for helping people, making Maine libraries stronger, and transforming information into knowledge.

4. As Maine State Librarian, I am responsible for “the proper management of the library and the safety of its contents” (Title 27, Chapter 1, Subchapter 1 of the Maine Revised Statutes) which includes overseeing all funds that come to MSL, including state, federal, and private grant funds. As Assistant Director at the New Hampshire State Library I was responsible for managing the state’s federal funding from the IMLS Grant to States program (\$1.3 million)

and am well versed in the process, including required reporting to ensure funds are spent in accordance with program requirements. In Maine I work closely with the state accounting department, which is responsible for making timely drawdowns, interim reporting, and submitting the final financials that are part of our required program report to IMLS at the end of each grant period.

5. On Thursday, April 3, 2025, I provided a declaration in support of Plaintiffs' Temporary Restraining Order in this case, which has since been converted to a Motion for Preliminary Injunction. I provide this supplemental declaration in support of that Motion.

6. On Tuesday, April 8, 2025, we still had not received our drawdown submitted on Monday, March 24, 2025, in the amount of \$44,142.53 (for March 26, 2025, payroll), and our drawdown submitted on Monday, April 7, 2025, in the amount of \$53,301.95 (for April 9, 2025, payroll) was still in "submitted" mode. This was unusual because drawdown requests have been always approved on the day of submission if on a Monday through Friday.

7. I had no way to reach anyone at IMLS due to its entire staff having been placed on administrative leave, so I emailed staff of Maine's congressional delegation to ask if they could contact IMLS Acting Director Sonderling for information about the status of our submitted drawdowns. At 7:04 pm on April 8, 2025, I received an email from Thomas M. Browder III, General Counsel for IMLS, which did not address my inquiry about our submitted drawdowns. That email chain is attached to this supplemental declaration as Exhibit A.

8. I shared Mr. Browder's email with state HR. Because the March 24, 2025, drawdown was then over two weeks delinquent and we had received no information about drawdown status, the State Human Resources Director was forced to initiate a layoff process for

our 13 Library Services and Technology Act-funded employees due to inaccessibility of federal grant funds.

9. We have had to close the public location of MSL services at 242 State Street in Augusta, Maine for two weeks beginning April 10, 2025, due to the layoffs and the reorganization that will be necessary after the layoff process is complete.

10. As of April 11, 2025, we also have had to pause all online services for MSL material requests by patrons and other libraries statewide until after the staff reorganization and reopening of our public space.

I declare under penalty of perjury under the laws of the United States that, to the best of my knowledge, the foregoing is true and correct. Executed on April 15, 2025, at Augusta, Maine.

/s/ Lori Fisher
Maine State Librarian

From: Tom Browder
To: Fisher, Lori
Cc: Gladstone Payton; Marielle Thete@king senate gov, Allison Feikes@collins senate gov, Cole Cerabona@king senate gov; Carol Woodcock@collins senate gov
Subject: Re: MSL starting layoff process - 13 IMLS funded staff
Date: Tuesday, April 8, 2025 7 04 01 PM
Importance: High

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Fisher,

Thank you for your email of April 8, 2025, sent to the offices of Senators King and Collins.

As you know, the Institute of Museum and Library Services (IMLS), like other federal agencies, is changing to better support the needs of the American taxpayer. For IMLS, this means changing the way support is provided through grants administration.

While LSTA is a program component still under review, we anticipate a successful resolution and have recently begun the process of resuming LSTA Grants to States payments.

Kind regards,

-Tom

Thomas M. Browder III
General Counsel
Institute of Museum and Library Services
P: 202-653-4660
[Website](#) | [LinkedIn](#) | [Facebook](#)

From: Feikes, Allison (Collins) <Allison_Feikes@collins senate gov>
Sent: Tuesday, April 8, 2025 09 48
To: Tom Browder <TBrowder@IMLS gov>
Subject: FW: MSL starting layoff process - 13 IMLS funded staff

Tom,

Beverly directed me to Gladstone, who I understand is OOO on bereavement.

Can you please help with the below?

From: Ferkes, Allison (Collins)
Sent: Tuesday, April 8, 2025 9.33 AM
To: Mckittrick, Beverly E - OCIA <Mckittrick.Beverly E@dol.gov>
Subject: FW: MSL starting layoff process - 13 IMLS funded staff

EXHIBIT

A

Importance: High

Beverly,

Can you help with the constituent concern below?

Despite the EO, the LSTA provides statutory requirements for how the Grants to States are to be allocated to state library administrative agencies (SLAAs)—the official state agencies charged by law in each state with the extension and development of library services (Section 213(4)).

I've attached a memo by CRS on the limitations of consolidation of IMLS without the consent of Congress.

Can you please advise?

Thanks,

Allison

From: Fisher, Lori <Lori.Fisher@maine.gov>

Sent: Tuesday, April 8, 2025 8.57 AM

To: Thete, Marielle (King) <Marielle.Thete@king.senate.gov>, Feikes, Allison (Collins) <Allison.Feikes@collins.senate.gov>

Cc: Cerabona, Cole (King) <Cole.Cerabona@king.senate.gov>; Woodcock, Carol (Collins) <Carol.Woodcock@collins.senate.gov>

Subject: MSL starting layoff process - 13 IMLS funded staff

Importance: High

Hi Marielle and Allison,

I'm reaching out to both of you together in a last ditch effort to save my 13 IMLS funded staff from being laid off. I was told this morning by State HR director Michael Dunn that due to the fact that we have not been able to receive our FY25 IMLS LSTA advance funds through drawdown requests to cover payroll since 3/24, we have to start the layoff process later today.

I have no direct contacts at IMLS right now due to all of the staff being on admin leave. Can your offices reach out to Acting Director Sonderling and find out if we will receive the drawdowns that have been submitted?

3/24 - \$44,142.53 (approved in IMLS eGMS Reach – for 3/26 payroll)

4/7 - \$52,301.95 (NOT approved in IMLS eGMS Reach – for 4/9 payroll)

Thank you in advance for any help you can provide. Please reach out to me on my work cell phone below if you have any questions.

Lori

Lori Fisher
Maine State Librarian
242 State Street (temp location)
64 SHS (mailing address)
Augusta, ME 04333
207-287-5604 (office)
207-530-3830 (work cell)

Please note: Correspondence to and from this office is considered a public record and may be subject to a request under the Maine Freedom of Access Act (FOAA). For more information about FOAA, please visit <https://www.maine.gov/foaa/>.

